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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 RICHARD SOUTH and LAURA N.
9 SOUTH, husband and wife,

10 Plaintiffs,

NO. CV-05-0066-RHW

11 v.

12 SPOKANE TRANSIT
13 AUTHORITY and
14 AMALGAMATED TRANSIT
15 UNION LOCAL NO. 1015,

Defendants.

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

16 Before the Court is Plaintiff's Notice of Dismissal Without Prejudice (Ct.
17 Rec. 17).

18 Accordingly, **IT IS HEREBY ORDERED**

- 19 1. The above-captioned case is **DISMISSED** without prejudice.
20 2. Defendant Spokane Transit Authority's Motion to Dismiss for Lack of
21 Subject Matter Jurisdiction (Ct. Rec. 6) is **DENIED** as moot.
22 3. Defendant Amalgamated Transit Union 1015's Motion for Dismissal of
23 All Claims for Lack of Subject Matter Jurisdiction (Ct. Rec. 11) is **DENIED** as
24 moot.

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IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward copies to counsel, and close the file.

DATED this 13th day of January, 2006.

s/Robert H. Whaley
ROBERT H. WHALEY
Chief United States District Judge

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